



complete relief on Plaintiffs' claims. For several months, the Plaintiffs and the State Defendants have engaged in productive settlements talks and the Plaintiffs are hopeful that additional negotiations conducted solely between the Plaintiffs and the State Defendants will result in a comprehensive settlement of these claims.

3. In the event that the Plaintiffs re-instate the Defendants listed above at a later time or file a subsequent case against these Defendants, the Defendants have agreed to waive their right to seek all or part of the costs related to this action pursuant to Fed. R. Civ. P. 41 (d).

4. The Plaintiffs dismiss these claims against the Defendants listed above without prejudice.

5. This dismissal does not extend to Defendants Christopher Epps, in his official capacity as Commissioner of the Mississippi Department of Corrections or Dr. Tom Burnham, in his official capacity as Superintendent of the Mississippi State Department of Education.

The Plaintiffs therefore dismiss Defendants The Walnut Grove Correctional Authority, The GEO Group, Inc., Health Assurance, LLC, Walter Tripp, in his official capacity as Warden of the Walnut Grove Youth Correctional Facility, Wesley Vinson, in his official capacity as Deputy Warden of the Walnut Grove Youth Correctional Facility, Dan Kern, in his official capacity as Deputy Warden of the Walnut Grove Youth Correctional Facility, K. Hogue, in her official capacity as Health Services Administrator for Walnut Grove Youth Correctional Facility, from this matter without prejudice and subject to the agreement set forth in paragraph 3 of this Notice.

Respectfully submitted,

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### **CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing document was filed electronically. Notice of this filing will be sent by email to all parties by the Court's electronic filing system. Parties may access this filing through the Court's CM/ECF System.

This 15th day of November, 2011.

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